



General Assembly

**Amendment**

January Session, 2023

LCO No. 10106



Offered by:

REP. STAFSTROM, 129<sup>th</sup> Dist.

SEN. WINFIELD, 10<sup>th</sup> Dist.

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To: House Bill No. 6895

File No. 655

Cal. No. 423

**"AN ACT CONCERNING A STUDY OF THE CRIMINAL LAWS OF THIS STATE."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Subsection (a) of section 29-35 of the general statutes, as  
4 amended by section 1 of substitute house bill 6667 of the current session,  
5 as amended by House Amendment Schedules "A" and "B", is repealed  
6 and the following is substituted in lieu thereof (*Effective October 1, 2023*):

7 (a) (1) No person shall carry any pistol or revolver upon such person's  
8 person, except when such person is within such person's dwelling  
9 house, on land leased or owned by such person or within the place of  
10 business of such person, without a permit to carry the same issued as  
11 provided in section 29-28 as amended by [this act] substitute house bill  
12 6667 of the current session, as amended by House Amendment  
13 Schedules "A" and "B".

14 (2) No person shall knowingly carry any firearm with intent to  
15 display such firearm, except when such person is within such person's  
16 dwelling house, on land leased, [or] owned or otherwise possessed by  
17 such person or within the place of business of such person, or such  
18 person is engaged in firearm training or bona fide hunting activity, or  
19 such person has been explicitly permitted by another person to carry  
20 such firearm with intent to display such firearm while within such other  
21 person's dwelling house, on land leased, owned or otherwise possessed  
22 by such other person, or within the place of business of such other  
23 person. For the purposes of this subdivision, a person shall not be  
24 deemed to be carrying a firearm with intent to display such firearm if  
25 such person has taken reasonable measures to conceal the fact that such  
26 person is carrying a firearm. Neither a fleeting glimpse of a firearm nor  
27 an imprint of a firearm through such person's clothing shall constitute a  
28 violation of this subdivision. If a person displays a firearm temporarily  
29 while engaged in self-defense or other conduct that is otherwise lawful,  
30 such display shall not constitute a violation of this subdivision. The  
31 provisions of this subdivision shall not apply to (A) any security guard  
32 or other person employed to perform the duties of protecting public or  
33 private property while in the performance of such duties or traveling to  
34 or from such duties, or (B) any person carrying a firearm as a necessary  
35 part of participation in an honor guard or an historic reenactment.

36 (3) The provisions of this subsection shall not apply to the carrying of  
37 any firearm by any:

38 (A) [(i)] Parole officer or peace officer of this state; [, or (ii) parole]

39 (B) Parole officer or peace officer of any other state while engaged in  
40 the pursuit of official duties;

41 [(B)] (C) Department of Motor Vehicles inspector appointed under  
42 section 14-8 and certified pursuant to section 7-294d;

43 [(C)] (D) Federal marshal or federal law enforcement agent;

44 [(D)] (E) Member of the armed forces of the United States, as defined

45 in section 27-103, or of the state, as defined in section 27-2, when on duty  
46 or going to or from duty;

47 ~~[(E)]~~ ~~(F)~~ Member of any military organization when on parade or  
48 when going to or from any place of assembly;

49 ~~[(F)]~~ ~~(G)~~ Person transporting or inspecting a firearm as merchandise;

50 ~~[(G)]~~ ~~(H)~~ Person transporting a firearm contained in the package in  
51 which such firearm was originally wrapped at the time of sale and while  
52 transporting the same from the place of sale to the purchaser's residence  
53 or place of business;

54 ~~[(H)]~~ ~~(I)~~ Person transporting a firearm as part of the process of  
55 removing such person's household goods or effects from one place to  
56 another;

57 ~~[(I)]~~ ~~(J)~~ Person transporting a firearm from such person's place of  
58 residence or business to a place or person where or by whom such  
59 firearm is to be repaired or while returning to such person's place of  
60 residence or business after the same has been repaired;

61 ~~[(J)]~~ ~~(K)~~ Person transporting a firearm in or through the state for the  
62 purpose of taking part in competitions, taking part in firearm training,  
63 repairing such firearm or attending any meeting or exhibition of an  
64 organized collectors' group if such person is a bona fide resident of the  
65 United States and is permitted to possess and carry a firearm in the state  
66 or subdivision of the United States in which such person resides;

67 ~~[(K)]~~ ~~(L)~~ Person transporting a firearm to and from a testing range at  
68 the request of the issuing authority; or

69 ~~[(L)]~~ ~~(M)~~ Person transporting an antique pistol or revolver, as defined  
70 in section 29-33, as amended by [this act] substitute house bill 6667 of  
71 the current session, as amended by House Amendment Schedules "A"  
72 and "B".

73 (4) For the purposes of this subsection, "firearm training" means

74 firearm training at a firing range, training facility or fish and game club  
75 or sporting club, and "transporting a firearm" means transporting a  
76 firearm that is unloaded and, if such firearm is being transported in a  
77 motor vehicle, is not readily accessible or directly accessible from the  
78 passenger compartment of the vehicle or, if such firearm is being  
79 transported in a motor vehicle that does not have a compartment  
80 separate from the passenger compartment, such firearm shall be  
81 contained in a locked container other than the glove compartment or  
82 console. Nothing in this section shall be construed to prohibit the  
83 carrying of a firearm during firearm training or repair.

84 Sec. 2. Section 53-202x of the general statutes is repealed and the  
85 following is substituted in lieu thereof (*Effective October 1, 2023*):

86 (a) (1) Except as provided in subdivision [(2)] (3) of this subsection,  
87 any person who lawfully possesses a large capacity magazine prior to  
88 January 1, 2014, shall apply by January 1, 2014, or, if such person is a  
89 member of the military or naval forces of this state or of the United  
90 States and is unable to apply by January 1, 2014, because such member  
91 is or was on official duty outside of this state, shall apply within ninety  
92 days of returning to the state to the Department of Emergency Services  
93 and Public Protection to declare possession of such magazine. Such  
94 application shall be made on such form or in such manner as the  
95 Commissioner of Emergency Services and Public Protection prescribes.

96 (2) Except as provided in subdivision (3) of this subsection, any  
97 person who lawfully possessed a large capacity magazine prior to  
98 January 1, 2014, and had not yet declared possession of such magazine  
99 as of July 1, 2023, shall apply by January 1, 2024, to declare possession  
100 of such magazine. Such application shall be made on such form or in  
101 such manner as the Commissioner of Emergency Services and Public  
102 Protection prescribes. Truthful information included on a timely  
103 registration application for a large capacity magazine pursuant to this  
104 subdivision shall not be used against the defendant in any criminal  
105 prosecution for possession of such large capacity magazine.

106        [(2)] (3) No person who lawfully possesses a large capacity magazine  
107        pursuant to subdivision (1), (2), (4) or (5) of subsection (d) of section 53-  
108        202w shall be required to declare possession of a large capacity  
109        magazine pursuant to this section with respect to a large capacity  
110        magazine used for official duties, except that any such person who  
111        retires or is otherwise separated from service who possesses a large  
112        capacity magazine that was purchased or obtained by such person for  
113        official use before such person retired or separated from service shall  
114        declare possession of the large capacity magazine within ninety days of  
115        such retirement or separation from service to the Department of  
116        Emergency Services and Public Protection. No person that lawfully  
117        possesses a large capacity magazine pursuant to subdivision (6) of  
118        subsection (d) of section 53-202w shall be required to declare possession  
119        of such large capacity magazine.

120        (b) In addition to the application form prescribed under subsection  
121        (a) of this section, the department shall design or amend the application  
122        forms for a certificate of possession for an assault weapon under section  
123        53-202d or for a permit to carry a pistol or revolver under section 29-28a,  
124        a long gun eligibility certificate under section 29-37p, an eligibility  
125        certificate for a pistol or revolver under section 29-36f or any renewal of  
126        such permit or certificate to permit an applicant to declare possession of  
127        a large capacity magazine pursuant to this section upon the same  
128        application.

129        (c) The department may adopt regulations, in accordance with the  
130        provisions of chapter 54, to establish procedures with respect to  
131        applications under this section. Notwithstanding the provisions of  
132        sections 1-210 and 1-211, the name and address of a person who has  
133        declared possession of a large capacity magazine shall be confidential  
134        and shall not be disclosed, except such records may be disclosed to (1)  
135        law enforcement agencies and employees of the United States Probation  
136        Office acting in the performance of their duties and parole officers  
137        within the Department of Correction acting in the performance of their  
138        duties, and (2) the Commissioner of Mental Health and Addiction  
139        Services to carry out the provisions of subsection (c) of section 17a-500.

140 (d) Any person who moves into the state in lawful possession of a  
141 large capacity magazine shall, within ninety days, either render the  
142 large capacity magazine permanently inoperable, sell the large capacity  
143 magazine to a licensed gun dealer or remove the large capacity  
144 magazine from this state, except that any person who is a member of the  
145 military or naval forces of this state or of the United States, is in lawful  
146 possession of a large capacity magazine and has been transferred into  
147 the state after January 1, [2014] 2024, may, within ninety days of arriving  
148 in the state, apply to the Department of Emergency Services and Public  
149 Protection to declare possession of such large capacity magazine.

150 (e) (1) If an owner of a large capacity magazine transfers the large  
151 capacity magazine to a licensed gun dealer, such dealer shall, at the time  
152 of delivery of the large capacity magazine, execute a certificate of  
153 transfer. For any transfer prior to January 1, 2014, or on or after July 1,  
154 2023, and prior to January 1, 2024, the dealer shall provide to the  
155 Commissioner of Emergency Services and Public Protection monthly  
156 reports, on such form as the commissioner prescribes, regarding the  
157 number of transfers that the dealer has accepted. For any transfer prior  
158 to July 1, 2023, and on or after January 1, 2014, or on or after January 1,  
159 2024, the dealer shall cause the certificate of transfer to be mailed or  
160 delivered to the Commissioner of Emergency Services and Public  
161 Protection. The certificate of transfer shall contain: (A) The date of sale  
162 or transfer; (B) the name and address of the seller or transferor and the  
163 licensed gun dealer, and their Social Security numbers or motor vehicle  
164 operator license numbers, if applicable; (C) the licensed gun dealer's  
165 federal firearms license number; and (D) a description of the large  
166 capacity magazine.

167 (2) The licensed gun dealer shall present such dealer's federal  
168 firearms license and seller's permit to the seller or transferor for  
169 inspection at the time of purchase or transfer.

170 (3) The Commissioner of Emergency Services and Public Protection  
171 shall maintain a file of all certificates of transfer at the commissioner's  
172 central office.

173 (f) Any person who declared possession of a large capacity magazine  
174 under this section may possess the large capacity magazine only under  
175 the following conditions:

176 (1) At that person's residence;

177 (2) At that person's place of business or other property owned by that  
178 person, provided such large capacity magazine contains not more than  
179 ten bullets;

180 (3) While on the premises of a target range of a public or private club  
181 or organization organized for the purpose of practicing shooting at  
182 targets;

183 (4) While on a target range which holds a regulatory or business  
184 license for the purpose of practicing shooting at that target range;

185 (5) While on the premises of a licensed shooting club;

186 (6) While transporting the large capacity magazine between any of  
187 the places set forth in this subsection, or to any licensed gun dealer,  
188 provided (A) such large capacity magazine contains not more than ten  
189 bullets, and (B) the large capacity magazine is transported in the manner  
190 required for an assault weapon under subdivision (2) of subsection (a)  
191 of section 53-202f; or

192 (7) Pursuant to a valid permit to carry a pistol or revolver, provided  
193 such large capacity magazine (A) is within a pistol or revolver that was  
194 lawfully possessed by the person prior to April 5, 2013, (B) does not  
195 extend more than one inch below the bottom of the pistol grip, and (C)  
196 contains not more than ten bullets.

197 (g) Any person who violates the provisions of subsection (f) of this  
198 section shall be guilty of a class C misdemeanor.

199 Sec. 3. Subsection (g) of section 53-202w of the general statutes, as  
200 amended by section 18 of substitute house bill 6667 of the current  
201 session, as amended by House Amendment Schedules "A" and "B", is

202 repealed and the following is substituted in lieu thereof (*Effective October*  
203 *1, 2023*):

204 (g) [If] The court may order suspension of prosecution in addition to  
205 any other diversionary programs available to the defendant, if the court  
206 finds that a violation of this section is not of a serious nature and that  
207 the person charged with such violation (1) will probably not offend in  
208 the future, (2) has not previously been convicted of a violation of this  
209 section, and (3) has not previously had a prosecution under this section  
210 suspended pursuant to this subsection, it may order suspension of  
211 prosecution in accordance with the provisions of subsection [(i)] (h) of  
212 section 29-33, as amended by [this act] substitute house bill 6667 of the  
213 current session, as amended by House Amendment Schedules "A" and  
214 "B".

215 Sec. 4. Subsections (c) to (h), inclusive, of section 14-224 of the general  
216 statutes, as amended by section 39 of substitute senate bill 904 of the  
217 current session, as amended by Senate Amendment Schedule "A", are  
218 repealed and the following is substituted in lieu thereof (*Effective October*  
219 *1, 2023*):

220 (c) (1) No person shall operate a motor vehicle upon any public  
221 highway or parking area for any race, contest, demonstration of speed  
222 or skill [.] or street takeover. [or motor vehicle stunt.] As used in this  
223 section, "street takeover" means taking over a portion of a public  
224 highway or parking area by blocking or impeding the regular flow of  
225 traffic [for the purpose of causing disorder or creating a nuisance to]  
226 with intent to cause disorder or create a nuisance for other users of such  
227 highway or parking area.

228 (2) No person shall (A) possess a motor vehicle under circumstances  
229 manifesting an intent that it be used in a race, contest, demonstration [.]  
230 or street takeover [or motor vehicle stunt] prohibited under subdivision  
231 (1) of this subsection, (B) act as a starter, timekeeper or judge at any such  
232 race, contest, demonstration [.] or street takeover, or [motor vehicle  
233 stunt,] (C) wager on the outcome of any such race, contest,



234 demonstration [ ] or street takeover. [or motor vehicle stunt, or (D)  
235 knowingly encourage, promote, instigate, assist, facilitate or aid or abet  
236 any person in the performance of any such race, contest, demonstration,  
237 street takeover or motor vehicle stunt.]

238 (d) Each person operating a motor vehicle who is knowingly  
239 involved in an accident on a limited access highway which causes  
240 damage to property only shall immediately move or cause such person's  
241 motor vehicle to be moved from the traveled portion of the highway to  
242 an untraveled area which is adjacent to the accident site if it is possible  
243 to move the motor vehicle without risk of further damage to property  
244 or injury to any person.

245 (e) No person who acts in accordance with the provisions of  
246 subsection (d) of this section may be considered to have violated  
247 subdivision (3) of subsection (b) of this section.

248 (f) Any person who violates the provisions of subsection (a) or  
249 subdivision (1) of subsection (b) of this section shall be [fined not more  
250 than twenty thousand dollars or be imprisoned not less than two years  
251 or more than twenty years or be both fined and imprisoned] guilty of a  
252 class B felony.

253 (g) (1) Any person who violates the provisions of subdivision (2) of  
254 subsection (b) of this section shall be [fined not less than seventy-five  
255 dollars or more than six hundred dollars or be imprisoned not more  
256 than five years or be both fined and imprisoned, and for any subsequent  
257 offense shall be fined not less than one hundred dollars or more than  
258 one thousand dollars or be imprisoned not more than five years or be  
259 both fined and imprisoned] guilty of a class D felony.

260 (2) Any person who violates the provisions of subdivision (3) of  
261 subsection (b) of this section or subdivision (1) of subsection (c) of this  
262 section shall be [fined not less than seventy-five dollars or more than six  
263 hundred dollars or be imprisoned not more than one year or be both  
264 fined and imprisoned, and for any subsequent offense shall be fined not  
265 less than one hundred dollars or more than one thousand dollars or be

266 imprisoned not more than one year or be both fined and imprisoned]  
267 guilty of a (A) class A misdemeanor for a first offense, and (B) class D  
268 felony for any subsequent offense.

269 [(3) Any person who violates the provisions of subdivision (1) of  
270 subsection (c) of this section shall be fined not less than one hundred  
271 fifty dollars or more than six hundred dollars or be imprisoned not more  
272 than one year or be both fined and imprisoned, and for any subsequent  
273 offense shall be fined not less than three hundred dollars or more than  
274 one thousand dollars or be imprisoned not more than one year or be  
275 both fined and imprisoned.]

276 [(4)] (3) Any person who violates the provisions of subdivision (2) of  
277 subsection (c) of this section shall be [fined not more than one thousand  
278 dollars or be imprisoned not more than six months or be both fined and  
279 imprisoned] guilty of a class B misdemeanor.

280 (h) In addition to any penalty imposed pursuant to subsection (g) of  
281 this section: (1) If any person is convicted of a violation of subdivision  
282 (1) of subsection (c) of this section and the motor vehicle being operated  
283 by such person at the time of the violation is registered to such person,  
284 the court may order such motor vehicle to be impounded for not more  
285 than thirty days and such person shall be responsible for any fees or  
286 costs resulting from such impoundment; or (2) if any person is convicted  
287 of a violation of subdivision (1) of subsection (c) of this section and the  
288 motor vehicle being operated by such person at the time of the violation  
289 is not registered to such person, the court may fine such person not more  
290 than two thousand dollars, and for any subsequent offense may fine  
291 such person not more than three thousand dollars.

292 Sec. 5. (*Effective from passage*) Section 24 of public act 23-46 shall take  
293 effect from its passage and be applicable to civil actions filed on or after  
294 July 1, 2022."

This act shall take effect as follows and shall amend the following sections:

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|           |                        |                  |
|-----------|------------------------|------------------|
| Section 1 | <i>October 1, 2023</i> | 29-35(a)         |
| Sec. 2    | <i>October 1, 2023</i> | 53-202x          |
| Sec. 3    | <i>October 1, 2023</i> | 53-202w(g)       |
| Sec. 4    | <i>October 1, 2023</i> | 14-224(c) to (h) |
| Sec. 5    | <i>from passage</i>    | New section      |